

MARTIN D. BERN (SBN 153203)  
Martin.Bern@mto.com  
MUNGER, TOLLES & OLSON LLP  
560 Mission Street, Twenty-Seventh Floor  
San Francisco, CA 94105-2907  
Telephone: (415) 512-4000  
Facsimile: (415) 512-4077

Attorneys for Defendant  
GUARDSMARK, LLC



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

U.S. EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,

Plaintiff,

v.

GUARDSMARK, LLC,

Defendant.

CASE NO. CV 11-3190 PSG

**JOINT STIPULATION TO CONTINUE  
CASE MANAGEMENT CONFERENCE;  
[PROPOSED] ORDER**

Ctrm.: 5  
Judge: Hon. Paul S. Grewal

Pursuant to Federal Rule of Civil Procedure 16(b), Plaintiff Equal Employment Opportunity Commission and Defendant Guardsmark, LLC hereby request an extension of the case management hearing and related deadlines as set out in this Court's November 9, 2011 Order [Docket No. 15]. The Scheduling Conference is presently calendared for December 20, 2011.

Good cause exists for the granting of an extension. **First**, lead counsel for Defendant has been subpoenaed for jury service in Alameda County on December 20, 2011, the date of the case management conference in this case. Having already taken one extension, he must attend Court on that day. **Second**, lead counsel for Plaintiff will be on an extended leave beginning the first week of January to the beginning of February. **Third**, counsel have continued to make progress in their settlement discussions, and therefore an extension may ultimately save the Court and counsel the time and effort which would be expended if the scheduling conference were to go

forward as currently scheduled.

The Court has granted two previous extensions in this case. Based on the foregoing, the parties respectfully request that the Court extend the Case Management Dates as follows:

1/15/12	Deadline to conduct mediation
2/2/12	Last day to file Rule 26(f) Report, complete initial disclosures or state objection, and file Case Management Statement
2/2/12	Defendant to respond to complaint
2/14/12	Initial Case Management Conference (CMC) in Court 5, 4 <sup>th</sup> Floor, San Jose at 2:00 p.m.

In addition, counsel for the parties and the mediator have agreed that a continuance of the Court's deadline to mediate would be prudent, given that the parties have continued to exchange information and make progress through their own efforts. Accordingly, the parties respectfully request an extension of their deadline to mediation from December 15, 2011 to January 15, 2011.

DATED: November 30, 2011

By: /s/ Martin D. Bern  
Martin D. Bern

Attorneys for DEFENDANT  
GUARDSMARK, LLC

By: /s/ Linda S. Ordonio Dixon  
Linda S. Ordonio Dixon

Attorney for PLAINTIFF EEOC

**Signature Attestation**

Pursuant to the Court's General Order 45, Section X.B. regarding Electronic Case Filing, I hereby attest that Linda S. Ordonio Dixon has authorized the electronic signature which appears above.

DATED: November 30, 2011

By: /s/ Martin D. Bern  
Martin D. Bern

Attorneys for DEFENDANT  
GUARDSMARK, LLC

**IT IS SO ORDERED.**

DATED: December 7, 2011

By: Paul S. Amodeo  
U.S. Magistrate Judge